

## § 347.2

## 32 CFR Ch. I (7–1–03 Edition)

(c) Under 20 U.S.C. 2701 et. seq. and 20 U.S.C. 1400 et. seq., establishes the Advisory Council on Dependents' Education (ACDE) and the Overseas Dependents' Schools National Advisory Panel on the Education of Disabled Dependents (NAP); establishes the Dependents Education Council (DEC); and, under DoD Instruction 1342.15,<sup>1</sup> establishes such other Educational Advisory Committees or Councils (EACs) as are appropriate.

(d) Continues to authorize publication of DoD 1342.6-M<sup>2</sup> in accordance with DoD 5025.1-M.<sup>3</sup>

### § 347.2 Applicability and scope.

This part applies to:

(a) The Office of the Secretary of Defense; the Military Departments; the Chairman of the Joint Chiefs of Staff and the Joint Staff; the Unified and Specified Commands; the Office of the Inspector General, Department of Defense; the Defense Agencies; and the DoD Field Activities (hereafter referred to collectively as "the DoD Components"). The term "Military Services," as used herein, refers to the Army, the Navy, the Air Force, the Marine Corps, and the Coast Guard.

(b) Members appointed to serve on the ACDE, the NAP, the DEC, and other EACs established under authority of 20 U.S.C. 2701 et seq., and DoD Instruction 1342.15.

### § 347.3 Mission.

The mission of the DoDDS is to provide, pursuant to 20 U.S.C. 2701 et. seq. and DoD Directive 1342.13,<sup>4</sup> a free public education of high quality from pre-kindergarten through grade twelve for eligible minor dependents of U.S. military and civilian personnel of the Department of Defense stationed overseas; and under 20 U.S.C. 1400 et. seq. and DoD Instruction 1342.12,<sup>5</sup> to provide a free appropriate education for children with disabilities, ages 3 through 21; and, under 20 U.S.C. 3731(g), to pro-

vide a community college program for eligible students in Panama.

(a) The DoDDS shall also provide programs designed to meet the special needs of:

- (1) The disabled.
- (2) Individuals in need of compensatory education.
- (3) Individuals with an interest in vocational education.
- (4) Gifted and talented individuals.
- (5) Individuals of limited English-speaking ability.
- (6) A developmental preschool program for eligible dependents who are of preschool age.

(b) The DoDDS may also provide, to the extent funds are available:

- (1) Extracurricular and co-curricular programs and activities to enrich the school environment and experience.
- (2) Student travel to compete in interscholastic programs and competitions.

### § 347.4 Organization.

(a) The DoDDS is established as an organizational element of the DoD Education Activity (DoDEA), a DoD Field Activity operating under the direction, authority, and control of the Assistant Secretary of Defense (Force Management and Personnel) (ASD(FM&P)). It shall consist of:

- (1) A Director.
- (2) The Office of Dependents' Education, which is the headquarters element of the DoDDS.
- (3) A subordinate organizational structure and such subordinate activities as shall be established by the Director, DoDDS, within resources authorized by the ASD(FM&P).

(b) An ACDE shall be established, in accordance with 20 U.S.C. et. seq., and DoD Directive 5105.4,<sup>6</sup> to advise the ASD(FM&P) and the Director, DoDDS, on improvements to achieve and maintain a high quality public educational program.

(c) A DEC shall be established to provide a consultative relationship between the ASD(FM&P) and the Director, DoDDS, and the Commanders of Unified Combatant Commands and major Service Commands to consider questions of educational policy, and

<sup>1</sup>Copies may be obtained, at cost, from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.

<sup>2</sup>See footnote 1 to § 347.1(c).

<sup>3</sup>See footnote 1 to § 347.1(c).

<sup>4</sup>See footnote 1 to § 347.1(c).

<sup>5</sup>See footnote 1 to § 347.1(c).

<sup>6</sup>See footnote 1 to § 347.1(c).

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matters related to facilities, logistics, and administrative support provided to the DoDDS by the Military Services.

(d) An Overseas Dependents' Schools National Advisory Panel on the Education of Disabled Dependents shall be established to advise the Director, DoDDS, regarding the needs and requirements for the education of disabled children, as well as the rules and standards that should be developed and maintained for the operation of the system.

(e) Other EACs shall be established to ensure effective communication between school administrators at all levels of administration within the DoDDS and the total school community. The operation of the EACs shall be in accordance with DoD Directive 1342.15.

### § 347.5 Responsibilities and functions.

(a) The Director, DoD Dependents Schools, shall perform all duties necessary to organize, manage, fund, direct, and supervise the complete operation of the DoDDS. These duties include, but are not limited to, the following duties:

(1) Serve as the principal advisor and staff assistant to the ASD(FM&P) on matters relating to overseas dependents education.

(2) As required for the DoDDS to perform its mission effectively, develop policies and systems; conduct research, analysis, and evaluation; and issue guidance and regulations.

(3) Keep abreast of developments in the elementary, secondary, and higher education field to ensure appropriate assimilation of new programs and technologies in the overseas dependents schools.

(4) Enter into agreements with or through the DoD Components and other U.S. Government entities, and form such agreements as may be required for the effective performance of the DoDDS program.

(5) Establish subordinate offices and schools necessary to fulfill the mission when practical and/or cost-beneficial.

(6) Provide recommendations and support to the ASD(FM&P) in the development and justification of school construction, modification, and/or re-

pair projects included in annual military construction programs.

(7) Develop, publish, interpret, and maintain:

(i) DoD 1342.6-M to implement this part and other policy decisions of the Secretary of Defense.

(ii) Eligibility policy and procedures for enrollment in an overseas dependents school.

(iii) Policy and procedures for the operation and management of the ACDE, the DEC, the Overseas Dependents' Schools National Advisory Panel on the Education of Disabled Dependents, the installation and local advisory committees, and other EACs.

(iv) Policy and procedures for the delivery of education and related services for children with disabilities.

(8) Engage in collective bargaining and enter into collective bargaining agreements.

(9) Ensure that the DoDDS are operated in accordance with governing law and regulation and with appropriate internal controls.

(10) Enter into agreements with such domestic and foreign national school entities as are necessary to ensure the delivery of educational services under 20 U.S.C. 2701 et. seq., when no overseas dependent school operated by the Department of Defense is determined by DoDDS to be reasonably available.

(11) Accept gratuitous services offered in support of DoDDS programs and mission.

(12) Ensure timely and accurate preparation of budget execution reports and full compliance with accounting requirements in accordance with DoD 7220.9-M.

(13) Establish and operate a non-appropriated fund for the support of student activities that are not supported from appropriated funds.

(14) Establish membership in, and maintain liaison with, such professional educational associations or organizations as are necessary to maintain currency in educational developments and technologies, ensure the proper accreditation of the schools, and promote the advancement of educational goals and objectives.

(15) Serve as the Executive Secretary of the DEC.